## AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include new Figures 11C, 11D, and 11E. Figure 11C shows the half nut 50 connected to the linking member 18 as cited in claim 12. Figure 11D shows the full nut 51 connected to the linking member as cited in Claim 12. Figure 11E shows the helical mesh teeth 27 of the screw drive 34 engaging the helical mesh teeth 25 of linking member 18 as cited in claim 13.

Attachments: New Sheets 1-3

## REMARKS

In the Non-Final Office Action, claims 1-6, 16, 17, and 20 were rejected, and claims 7-15, 18 and 19 were objected to. Additionally, the drawings, specification, and applicant's claim for foreign priority were objected to. Applicant submits the following remarks in response thereto.

### A. Objections to Applicant's Claim for Foreign Priority

The subject application entered the national stage in the U.S. from an international application after compliance with 35 U.S.C. 371. A certified copy of the foreign priority application, Australian Application No. 2003906642, was submitted on April 29, 2005 to the United States Patent and Trademark Office (USPTO), which acted as the Receiving Office of applicant's international application. A copy is attached for your convenience. Applicant respectfully submits that the USPTO already has a certified copy of the foreign priority application readily available.

Alternatively, applicant respectfully requests that the USPTO request a copy of the certified priority document from the International Bureau. Pursuant to MPEP §1893.03(c), the USPTO, as a Designated Office, will normally request the International Bureau to furnish the copy of the certified priority document upon receipt of applicant's submission under 35 U.S.C. 371 to enter the U.S. national phase. The copy from the International Bureau is placed in the U.S. national stage file. See MPEP §1893.03(c). The copy of the priority document received from the International Bureau is acceptable to establish that applicant has filed a certified copy of the priority document. See MPEP §1893.03(c).

**B. Objections to the Drawings**

Applicant has amended the application to include new Figures 11C, 11D, and 11E. Accordingly, applicant respectfully requests that the Examiner remove this objection.

**C. Objections to the Specification**

The amendments to the specification as detailed above addresses several minor editorial problems, including the error noted by the examiner on page 10, line 13. In light of the amendments, applicant respectfully requests that the examiner remove this objection.

**D. Objections to the Claims**

Applicant thanks the examiner for renumbering claims 16-20. Claim 20 has been cancelled, thereby making the examiner's objection to claim 20 moot.

**E. Rejection of Claims Pursuant to 35 U.S.C. § 102(e)**

The Examiner rejected claims 1-6, and 16-17 under § 102(e) as anticipated by U.S. Patent No. 6,672,553 to Lin. Lin discloses a suspension arm which has one end pivotally connected to a support device (i.e., TV) and the other end fastened to a support means such as a table. The suspension arm is in conventional parallelogram linkage, allowing the angular position of the arm to be adjusted without changing the position of the TV. (Lin, pg. 4, lines 37-47) With respect to the §102 rejection, the examiner asserts that Lin teaches a first bracket (1), a second bracket (4, 7), a connecting member (5), a linking member (3) coupled to the connecting member (5) so as to be movable transversely in relation to line between the first position and the second position, and the first and second bracket coupled to the connecting member with screw drive mechanism (21, 61).

MPEP §2131 provides that a claim is anticipated only if each and every element as set forth in

the claim is found, either expressly or inherently described, in a single prior art reference. "The identical invention must be shown in as complete detail as is contained in the ... claim." MPEP §2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Moreover, the elements must be arranged as required by the claim. MPEP §2131. As set forth in more detail below, Lin does not disclose each and every element set forth in Claims1-6, and 16-17. Accordingly, applicant requests that the rejections § 102(e) be withdrawn.

***1. Lin does not disclose the linking member's transverse movement relative to the connecting member as recited in claims 1.***

Claims 1, as currently amended, discloses a linking member which moves in a transverse direction relative to the connecting member. Claim 1, in relevant part, states:

> ...a linking member coupled to the connecting member so as to be **movable transversely in relation to the connecting member**, wherein the linking member is arranged to engage the first bracket and the second bracket such that pivotal movement of the first bracket in a first rotational direction is related to **transverse movement of the linking member**, which is in turn related to pivotal movement of the second bracket also in the first rotational direction.

(emphasis added). "Transverse" is understood to mean "crosswise," "crossing from side to side," or "made at right angles to the long axis of the body." American Heritage® Dictionary of the English Language, 4th Ed. 2000(Transverse defined as "situated or lying across; crosswise"); Collins Essential English Dictionary 2nd Edition 2006(Transverse defined as "crossing from side to side"); Merriam-Webster Online Dictionary 2009(Transverse defined as "acting, lying, or being across; set crosswise; made at right angles to the long axis of the body.")

Lin reveals a link 3 pivotally secured to the mounting base 1 at its bottom end and pivotally secured to the gyro block 4 at its top end. (Lin, pg 2, lines 43-46; Lin, pg. 3, lines 31-46). The

support arm 5, which is also pivotally secured to the mounting base 1 at its bottom end and pivotally secured to the gyro block 4 at its top end, is an elongated hollow member adapted to receive the link 3. (Lin, pg. 3, lines 47-63). Together, the link 3 and support arm 5 form a suspension arm in conventional parallelogram linkage, allowing the angular position of the arm to be adjusted without changing the position of the support article. (Lin, pg. 4, lines 37-47) Lin states, "The support arm 5 and the link 3 can be turned forwards or backwards relative to the circular locating block 12 to change the forward-backward distance of the supported article, for example, a LCD B." (Lin, pg. 2, lines 63-67)

In Lin's specification, the link 3 is described as moving in the same direction as the support arm 5 when the support arm 5 is moved. Lin states, "When turning the support arm 5 downwards, the link 3 is moved with the support arm 5…" (Lin, pg. 4, lines 37-47) Lin does not disclose the linking member moving transversely relative to the connecting member as recited in pending claim 1. Accordingly, the rejection of claim 1 (as well as any other claim dependent upon Claim 1) is unsupported by the art and should be withdrawn.

***2. Lin does not disclose the linking member's transverse movement in relation to a line between the first position and the second position as recited in claim 2.***

Claims 2 discloses a linking member which moves in a transverse direction relative a line drawn between a first position and a second position. The first position is defined in the claim as the position where the connecting member pivotally couples the first bracket, and the second position is defined in the claim as the position where the connecting member pivotally couples the second bracket. Claim 2, in relevant part, states:

> a connecting member pivotally coupled to the first bracket at a first position and pivotally coupled to the second bracket at a second position spaced from the first position;
> a linking member coupled to the connecting member so as to be **movable transversely in relation to a line between the first position and the second position**;
> wherein the linking member is arranged to engage the first bracket such that pivotal movement of the first bracket in a first rotational direction is related to **transverse movement of the linking member** in a first transverse direction,
> wherein the linking member is also arranged to engage the second bracket such that pivotal movement of the second bracket in the first rotational direction is also related to the **transverse movement of the linking member** in the first transverse direction.

In this embodiment, the line between the first position and the second position runs along the long axis of the connecting member. When either the first or second bracket rotates, the linking member moves transversely with respect to this line. Lin does not disclose the linking member's transverse movement relative to a line running along the long axis of the connecting member. As noted above, the link 3 is described as moving in the same direction as the support arm 5 when the support arm 5 is moved. (Lin, pg. 4, lines 37-47) Accordingly, the rejection of claim 2 (as well as any other claim dependent upon Claim 2) is unsupported by the art and should be withdrawn.

***3. Lin does not disclose a linking member pivotally coupled to a connecting member at a midway point along the connecting member as recited in claim 3.***

Claim 3 discloses a linking member pivotally coupled to the connecting member at a midway point between where the connecting member connects to the first bracket and the second bracket. Claim 3, in relevant part, states:

> … a connecting member pivotally coupled to the first bracket at a first position and pivotally coupled to the second bracket at a second position spaced from the first position; and **a linking member pivotally coupled to the connecting member so as**

> **to be pivotable about a point midway along a line between the first position and the second position**...

(emphasis added).

As noted above, Lin shows a link 3 and support arm 5 pivotally secured to the mounting base 1 at their bottom end and pivotally secured to the gyro block 4 at their top end. Lin does not disclose a linking member pivotally coupled to the connecting member, much less a linking member pivotally coupled to the connecting member at a midway point along the connecting member as recited in claim 3. Accordingly, the rejection of claim 3 is unsupported by the art and should be withdrawn.

***4. Lin does not disclose the screw drive mechanism recited in Claims 5.***

Claim 5 discloses a first and second bracket having a screw drive mechanism. Claim 5 states:

> The support mechanism according to claim 1, **wherein said first bracket and said second bracket are each coupled to said connecting member with a screw drive mechanism**, said screw drive mechanism comprising a cylinder with a periphery.

(emphasis added).

The examiner has suggested that elements 21 & 61 are equivalent to the claimed screw drive mechanism. Lin identifies elements 21 & 61 as a "screw rod." As shown in the figures and described in the specification of Lin, this screw rod is merely a rod with reversed threads at the two ends. (Lin, pg. 2, lines 50-67; pg 3, lines 64-67; pg. 4, lines 1-9) Knobs are screwed onto the screw rod ends. (*Id.*) When the screw rods are loosened, a user can change the forward-backward distance of the TV. When tightened, the suspension arm is locked in place. (*Id.*)

Contrary to the examiner's assertion, the claimed screw drive, even when given the broadest reasonable interpretation, is not disclosed by Lin. MPEP §2101.01 declares that the words of a claim

must be given their "plain meaning" unless such meaning is inconsistent with the specification. "Plain meaning" refers to the ordinary and customary meaning given to the term by those of ordinary skill in the art." MPEP §2101.01. "[T]he ordinary and customary meaning of a claim term is the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention, i.e., as of the effective filing date of the patent application." MPEP §2101.01, quoting *Phillips v. AWH Corp.*, 415 F.3d 1303, 1313, 75 USPQ2d 1321, 1326 (Fed. Cir. 2005) (en banc). It is the use of the words in the context of the written description and customarily by those skilled in the relevant art that accurately reflects both the "ordinary" and the "customary" meaning of the terms in the claims. MPEP §2101.01, citing *Ferguson Beauregard/Logic Controls v. Mega Systems*, 350 F.3d 1327, 1338, 69 USPQ2d 1001, 1009 (Fed. Cir. 2003) The ordinary and customary meaning of a term may be evidenced by a variety of sources, including "the words of the claims themselves, the remainder of the specification, the prosecution history, and extrinsic evidence concerning relevant scientific principles, the meaning of technical terms, and the state of the art." MPEP §2101.01, quoting *Phillips v. AWH Corp.*, 415 F.3d at 1314, 75 USPQ2d at 1327.

Applicant submits that, in the context of the written description, those of ordinary skill in the art would understand the term "screw drive" to mean a translational movement mechanism. For instance, the following issued patents disclose a translational movement mechanism identified as a "screw drive": United States Patent 7,484,391; United States Patent 7,472,957; United States Patent 7,470,387; United States Patent 6,896,077; and United States Patent 6,698,301. Lin clearly does not disclose a translational movement mechanism. Accordingly, the rejections of claims 1 & 5 (as well as any other claim dependent upon Claims 1 & 5) are unsupported by the art and should be withdrawn.

**F. Rejection of Claims Pursuant to 35 U.S.C. § 103)**

Applicant has cancelled claim 20, thereby making the rejection of claim 20 moot.

**G. New Claim 21**

Claim 21 is new. Claim 21 contains limitations that are neither anticipated by the prior art nor rendered obvious.

## CONCLUSION

Applicant believes that the application is now in a condition for allowance. Applicant respectfully requests that the Examiner reconsider the rejections made in light of the amendments and remarks presented herein, and that the pending claims be allowed. The undersigned asks that the Examiner contact him at (225) 248-2420 if he has any questions so that early allowance may be reached.

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Respectfully submitted,

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